IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

WEDNESDAY, THE 6TH JUNE 2007 / 16TH JYAISHTA 1929

WP(C).No. 17325 of 2007(K)

OS.197/2002 of SUB COURT,KOTTARAKKARA
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PETITIONER/PLAINTIFF NO.1:

A.LALITHAMMAL, AGED 83 YEARS,
W/O.LATE KUTTAN PILLAI, PALATHINKKAL HOUSE,
EAST OF PALACE BRIDGE, PALACE WARD, ALAPPUZHA
VILLAGE, AMBALAPPUZHA TALUK.

BY ADV. SRI.V.SETHUNATH.

RESPONDENTS/DEFENDANTS:
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1. **GOPALAKRISHNAN, AGED 52 YEARS,**
   S/O.GOPALAKRISHNA PILLAI, CHERUKULATHU VEEDU,
   MALOOR MURI, PATTAZHI VADAKKEKKARA,
   PATHANAPURAM TALUK.

2. **VENUGOPAL, AGED 48 YEARS,**
   S/O.GOPALAKRISHNA PILLAI,
   CHERUKULATHU VEEDU, MALOOR MURI,
   PATTAZHI VADAKKEKKARA, PATHANAPURAM TALUK.

3. **KRISHNA KUMARI, AGED 55 YEARS,**
   D/O.GOPALAKRISHNA PILLAI, CHERUKULATHU VEEDU,
   MALOOR MURI, PATTAZHI, VADAKKEKKARA,
   PATHANAPURAM TALUK.

BY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 06/06/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

M.N.KRISHNAN, J

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WP(C) No.17325 OF 2007

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Dated this the 6th day of June 2007

JUDGMENT

This writ petition is filed seeking a direction to the Sub Court, Kottarakkara to try and dispose of O.S.No.197/2002 within a reasonable time fixed by this court.

2.Heard counsel for the petitioner. Learned counsel would submit that plaintiff No.1 is a senior citizen aged 83 years and she is also suffering from physical disability. So she wants to have the usufructs of the decree, if obtained during her life time and therefore she, as a senior citizen requests for an early disposal of the case.

3. After hearing the counsel, I feel a direction can be given to the present writ petitioner to file an application before the Sub Court, Kottarakkara for a preferential trial considering the factum of the age and the ailment and the fact that she is a senior citizen. When such an application is moved, the trial court shall bestow its attention and consider the request sympathetically and if possible, try to dispose of the matter as

expeditiously as possible.

Writ petition is disposed of as above.

M.N.KRISHNAN, JUDGE

Cdp/-